

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,  
SAN DIEGO REGION**

**NOTICE OF PUBLIC MEETING**

**AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SAN DIEGO  
REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR DISSOLVED  
COPPER IN SHELTER ISLAND YACHT BASIN, SAN DIEGO BAY**

**PUBLIC MEETING**

**February 9, 2005 at 9:00 AM  
Regional Board Hearing Room  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340**

**PUBLIC MEETING**

This public notice is to inform interested persons that the California Regional Water Quality Control Board, San Diego Region (Regional Board) will conduct a Public Meeting concerning a tentative amendment to the *Water Quality Control Plan for the San Diego Region (9)* (Basin Plan). The tentative Basin Plan amendment establishes a Total Maximum Daily Load (TMDL) for dissolved copper in the Shelter Island Yacht Basin portion of San Diego Bay.

**REGULATORY BASIS FOR ACTION**

California Water Code Section 13240 authorizes the Regional Board to revise the Basin Plan as needed. These revisions must be in accordance with the notice and hearing requirements of California Water Code Section 13244, 23 California Code of Regulations 3777 and 40 CFR 25.5.

**CALIFORNIA ENVIRONMENTAL QUALITY  
ACT (CEQA)**

The Regional Board is the California Environmental Quality Act (CEQA) Lead Agency for this project. The basin planning process is certified by the Secretary for Resources as exempt from the CEQA requirement for preparation of an Environmental Impact Report (EIR) or negative declaration and initial study pursuant to Section 21080.5 of the Public Resources Code. Based upon this certification, the Basin Plan amendment, as well as the Technical Report, environmental checklist, and supporting documents, serve as a "*functional equivalent*" to an EIR, negative declaration and initial study.

**BACKGROUND**

The Clean Water Act (CWA) Section 303(d) requires States to develop a list of Waterbodies that do not, or

are not expected to, meet water quality standards after implementing technology based controls. Section 303(d) of the CWA requires States to identify these impaired waters and develop Total Maximum Daily Loads for such waters. The purpose of a TMDL is to restore the waterbody's beneficial uses and attain water quality objectives.

Shelter Island Yacht Basin (SIYB) is a popular recreational marina located in San Diego Bay. Recreational vessels at SIYB are typically painted with copper-based antifouling paints to slow the buildup of marine organisms on a vessel's hull. The copper in antifouling paints is designed to leach into the environment to help prevent marine fouling. However, at relatively low levels, copper is toxic to a wide range of aquatic organisms, not just fouling organisms, and is persistent in the environment. The high density of recreational vessels at SIYB combined with reduced tidal flushing has resulted in elevated levels of dissolved copper that exceed the numeric water quality objectives for copper, and the narrative Basin Plan objectives for toxicity and pesticides. Exceedances of the water quality objectives at SIYB threaten and impair the beneficial uses, including wildlife, estuarine and marine habitat uses.

Due to high concentrations of dissolved copper, SIYB was listed as impaired on the CWA Section 303(d) list in 1996. A TMDL was developed to meet water quality objectives at SIYB and protect beneficial uses.

A public hearing on the tentative Resolution No. R9-2004-0002, Basin Plan Amendment, and Technical Report was held on December 10, 2003. This tentative Basin Plan amendment would incorporate a Total

Maximum Daily Load for dissolved copper in the Shelter Island Yacht Basin into Chapter 4 (Implementation) of the Basin Plan.

#### **AVAILABILITY OF DOCUMENTS**

The tentative --Resolution, Basin Plan Amendment, and Technical Report, and supporting documents are available at the Regional Board office, at the above address, on weekdays during business hours as well as through the internet at the Regional Board web site at: <http://www.waterboards.ca.gov/sandiego>.

#### **INFORMATION**

Parking is available at the meeting location. See web site for map to meeting location. The meeting room facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Ms. Lori Costa at (858) 467-2357 at least 5 working days prior to February 9, 2005. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Questions concerning this notice may be directed to either Lesley Dobalian, at (858) 637-7139, email at [ldobalian@waterboards.ca.gov](mailto:ldobalian@waterboards.ca.gov), or Christina Arias, at (858) 627-3931, email at [carias@waterboards.ca.gov](mailto:carias@waterboards.ca.gov).

Thank you for your interest in the Basin Plan and the protection of water quality.

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John Robertus  
Executive Officer  
January 5, 2005